



PROTECTING WORKERS' RIGHTS

Currently, 23 states force employees to surrender their hard-earned dollars to union lobbyists.¹ Meanwhile, 27 states have passed Right-to-Work laws, which protect workers' rights by allowing them to choose whether to join a union.

Background

Union membership across the U.S. has steadily declined over the last 50 years. In 1983, 20 percent of American workers, or 17.7 million workers, were union members. In 2020, just 10.8 percent of workers, or 14.3 million workers, are union members.²

Democrats have a storied history of supporting union bosses instead of protecting workers' rights. On March 9, 2021, for example, House Democrats passed H.R. 842, the Protecting the Right to Organize (PRO) Act. The PRO Act would invalidate existing Right-to-Work laws and prohibit states from shielding workers from mandatory union dues. The bill would also require all workers' contact information to be shared with union leaders during organizing campaigns, undermine secret ballot union elections by authorizing a card check system, ban voluntary arbitration, and prohibit workers from decertifying unions in certain circumstances.³

Union Claim: Right-to-Work laws represent a political attack to destroy labor unions.

Response: Right-to-Work laws make sense even for employees who support unions. Workers gain power when they have a choice.

- Federal law already protects employees' right to organize.
- Employee choice incentivizes unions to improve services for their members.⁴ Right-to-Work laws do not prevent an employee from voluntarily joining a union or paying union dues.⁵

Union Claim: Workers only choose to opt-out of unions because they are ignorant of membership benefits.

Response: Workers are aware of the unions' claims about benefits. But, they are also aware of the risk. Workers are able to make decisions that are best for their families. Workers should not be forced to pay union dues if they determine that union membership will not represent their interests.

- An Alabama Amazon employee recently expressed her concern with the risk of paying union dues, stating, "I work hard for my money, and I don't want any of it going to a union that maybe can get us more pay, or maybe can get us longer breaks."⁶ Amazon employees in Bessemer, Alabama, voted to reject unionization in April 2021.⁷
- Workers at a Tennessee Volkswagen plant rejected a unionization bid in 2019. According to one employee, "We felt like we were already being treated very well by Volkswagen in terms of pay and benefits and bonuses." He adds that, based on the poor track record of the union, he did not want to join a sinking ship.⁸
- *Politico* reported union leaders unsuccessfully "worked for months to sell their [rank-and-file] members" on supporting Biden over Trump in the 2020 election, favoring political interests over representing their members' positions.⁹

Union Claim: Right-to-Work laws wrongly enable non-union members to benefit from the representation afforded to members.¹⁰

Response: Unions are not required by federal law to represent workers who do not pay for membership.¹¹

- While union leaders prefer to claim exclusive representation of employees, they are not required to represent non-union members.
- Employees should not be denied freedom of association based on the method of representation unions choose to employ.

Policy Solutions

Right-to-Work laws restore employees' freedom to associate with unions. Congress should pass H.R. 1275, the National Right-to-Work Act. This bill would protect workers' rights by prohibiting employers from compelling employees to join a union as a condition of employment.¹²

¹ Right to Work States. National Right to Work Legal Defense Foundation. <https://www.nrtw.org/right-to-work-states/>

² About one-third of U.S. workers belonged to a union in 1954. Union Members Summary. U.S. Bureau of Labor Statistics. January 22, 2021. <https://www.bls.gov/news.release/union2.nr0.htm> and Union Membership Trends in the United States. Congressional Research Service. August 31, 2004. <https://www.everycrsreport.com/reports/RL32553.html>

³ Backgrounder: Protecting the Right to Organize Act. Institute for the American Worker. February 8, 2021. http://i4aw.org/wp-content/uploads/2021/02/Protecting-the-Right-to-Organize-Act_Updated-2.5.21-3.pdf

⁴ Sherk, James. "Right to Work Increases Jobs and Choices." Heritage Foundation. November 9, 2011. <https://www.heritage.org/jobs-and-labor/report/right-work-increases-jobs-and-choices>

⁵ Straka, Ben. "Right to Work-what is it, and more importantly, what isn't it?" Freedom Foundation. May 8, 2018. <https://www.freedomfoundation.com/labor/right-to-work-what-is-it-and-more-importantly-what-isnt-it/>

⁶ Higgins, Sean. "Maybe Workers Just Aren't That into You, Unions." Competitive Enterprise Institute. April 13, 2021. <https://cei.org/blog/maybe-workers-just-arent-that-into-you-unions/>

⁷ Pisani, Joseph; Olson, Alexandra; D'Innocenzo Anne. "Amazon warehouseworkers reject union bid in Alabama." Associated Press. April 9, 2021. <https://apnews.com/article/amazon-warehouse-workers-reject-union-alabama-5f73ee6c32d179d60540df7ec51b6ac7>

⁸ Higgins, Sean. "Maybe Workers Just Aren't That into You, Unions." Competitive Enterprise Institute. April 13, 2021. <https://cei.org/blog/maybe-workers-just-arent-that-into-you-unions/> <https://cei.org/blog/maybe-workers-just-arent-that-into-you-unions/>

⁹ Otterbein, Holly and Cassella, Megan. "Rank-and-file union members snub Biden for Trump." Politico. September 22, 2020. <https://www.politico.com/news/2020/09/22/donald-trump-union-support-snob-joe-biden-418329>

¹⁰ Erickson, Ryan and Walter, Karla. "Right to Work Would Harm All Americans." Center for American Progress Action Fund. May 18, 2017. <https://www.americanprogressaction.org/issues/economy/reports/2017/05/18/167539/right-work-harm-americans/>

¹¹ Sherk, James. "Right to Work Increases Jobs and Choices." Heritage Foundation. November 9, 2011. <https://www.heritage.org/jobs-and-labor/report/right-work-increases-jobs-and-choices>

¹² H.R. 1275- National Right-to-Work Act. <https://www.congress.gov/bill/117th-congress/house-bill/1275H.R>